REMARKS/ARGUMENTS

The Examiner rejects claims 1-5, 9-21, and 23-25 under 35 U.S.C.§102(b) as being anticipated by Jordan et al. (U.S. 5,150,404) and 6 and 12 under 35 U.S.C.§103(a) as being unpatentable over Matheny in view of well known prior art.

Although the rejected claims have been canceled, Applicant respectfully contends that the newly added claims are allowable over the cited prior art. The cited patents fail to teach or suggest at least the following italicized features of the newly added independent claims:

26. A method for operating a voice-based telecommunications device, comprising:

(a) monitoring the voice-based telecommunications device for at least one of an on-hook and off-hook state; and

(b) when the at least one of an on-hook and off-hook state is detected, automatically resetting at least one of acoustic characteristic to a predetermined level, *wherein the predetermined level is user adjustable.*

35. A method for operating a voice-based telecommunications device, comprising:

(a) monitoring the voice-based telecommunications device for at least one of an on-hook and off-hook state; and

(b) when the at least one of an on-hook and off-hook state is detected, automatically resetting to a predetermined level at least one of:

(i) a frequency contour of at least one of receive, transmit, and sidetone signals,

(ii) an audio compression level of any of the at least one of receive, transmit, and sidetone signals,

(iii) a volume level of at least one of a transmit signal and sidetone signal, wherein in (iii), a volume setting of the at least one of the transmit signal and sidetone signal is independent of a volume setting of a receive signal, and

(iv) a volume level, wherein the predetermined level is user adjustable.

43. A voice-based telecommunications device, comprising:

(a) a state detector that detects at least one of an off-hook and on-hook state of the telecommunications device; and

(b) an automatic reset operable, when the at least one of an off-hook and on-hook state is detected, to reset automatically to a predetermined level at least one of:

(i) a frequency contour of at least one of receive, transmit, and sidetone signals,

(ii) an audio compression level of any of the at least one of receive, transmit, and sidetone signals, and

(iii) a volume level of at least one of a transmit signal and sidetone signal, wherein in (iii), a volume setting of the at least one of the transmit signal and sidetone signal is independent of a volume setting of a receive signal.

Jordan

Jordan is directed to a volume control for a telephone having a receiver, a manual key for generating a volume increment for each operation of the key; a volume increment counter connected to the manual key for counting volume increments; a controlled gain amplifier connected ahead of the receiver; and a gain control network connected between the controlled gain amplifier and the counter for controlling the gain of the amplifier in response to the number of volume increments counted in the volume increment counter. A unique feature of the volume control is that it maintains the selected gain level when the central office collects or refunds coins or makes an initial rate or coin present test.

Jordan teaches that, when the hookswitch goes on-hook, the power supply 13 is quickly discharged, causing the reset generator circuit 22 automatically to reset the gain counter circuit 19 to the lowest or default volume setting. The reset level, *which is not user adjustable*, counter output Q1, Q2, and Q3 are low, turning off transistors Q7, Q6, and Q5 in the gain control network generally, providing maximum negative feedback between the output pin 7 of amplifier U2B and its negative output pin 6. With maximum negative feedback, the gain is lowest, and accordingly the receive volume is lowest. (Col. 2, line 53 to col. 3, line 6.)

Matheny

Matheny is directed to a telephone that adjusts automatically the volume or amplification level of a telephone to a default setting. The arrangement provides a number of discrete, predetermined amplification levels selectable by the operator using a push-button switch 66. The amplification level is restored automatically to a volume associated with a normal hearing sensitivity at the start of a new call and a dial shunt circuit suppresses the DTMF tones heard by a user when tone dialing is used. The user adjusts the amplification level by manipulating the

switch 66, which, in response, provides control signals to the counter 150. The counter in turn provides control signals Q1 and Q2 to the switching devices 136 and 144 causing one or both of the resistors 130 and 132 to be connected in parallel with resistor 126. The highest amplification level is realized when all three resistors are connected in parallel. The default or normal level is provided when only resistor 126 is connected.

At col. 7, lines 15-31, Matheny states:

> To insure that the volume is associated with normal amplification level at the beginning of a new call, the binary counter 150 is reset *when the handset is taken OFF-HOOK*. The counter 150 includes a reset input 160 coupled to the junction of a series resistor 162 and capacitor 164 combination coupled between the positive voltage and ground 90. At the beginning of a new call, current flows through the resistor 162 and capacitor 164 combination to generate a reset signal on the reset lead 160 which forces the counter output Q1 and Q2 to a low voltage logic state thereby keeping the switching devices 136 and 144 in an OFF condition. Consequently, the volume produced by the receiver transducer is associated with the normal amplification level because only resistor 126 is connected to the output terminal 124 when the counter output Q1 and Q2 are at a low voltage logic state.

Because the volume is not reset until the OFF-HOOK state, a shunt circuit must be provided to prevent hearing of amplified audio associated with the DTMF signals generated by the touchpad during dialing.

As in the case of Jordan, the default setting of the Matheny device is not user configurable or adjustable. This is so because both Jordan and Mathency teache analog circuits for effecting resetting of the volume of the receive signal to a fixed volume level, which is typically the lowest volume level. The analog circuits do not permit a user to adjust the reset level.

The newly added dependent claims provide further bases for allowability.

For example, dependent claims 38 and 46 require a frequency contour of at least one of receive, transmit, and sidetone signals to be reset. People who are hard-of-hearing often have different degrees of hearing loss at different frequencies. For example, a user might be down 40 dB at 500 Hz, 20 dB at 1000 Hz, and 50 dB at 2000. By virtue of being software-controlled, the

proposed solution would allow users to specify the degree of amplification they require at different frequencies -- with automatic reset to the default level upon call completion.

Dependent claims 40 and 48 require a volume level of at least one of a transmit signal and sidetone signal, , i.e., how loud your own voice sounds to you while you are speaking, to be reset, with the volume setting of the at least one of the transmit signal and sidetone signal being independent of a volume setting of a receive signal. In conventional telephones, the sidetone and receive channel volume settings are are locked together, such that any increase in the receive level automatically makes your own voice seem louder to you as you speak.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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